



March 5, 2025

Speaker Todd Huston
Indiana House of Representatives
200 West Washington Street
Indianapolis, IN 46204

Re: Nonpartisan coalition's opposition to Indiana Senate Bill 10

Dear Speaker Huston:

The nonpartisan All IN for Democracy coalition writes to express our thanks for your recent comments expressing skepticism about the numerous changes to Indiana elections law making their way through the legislature. That is why we are writing to you with our concerns with Indiana Senate Bill 10 ("SB 10"), a far-reaching and unnecessary bill that further complicates Indiana's voting and voter registration processes to make both less accessible for Indiana voters. All IN for Democracy was founded in 2015 by Common Cause Indiana and the League of Women Voters of Indiana and has grown to include 25 nonpartisan organizations working collaboratively to protect voting rights in Indiana and promote policies that make voting accessible to all Hoosiers.

We write to urge your opposition to SB 10. We appreciate your recent comments about our election system here in Indiana and your concerns regarding Senate Bills 201 and 284. SB 10 similarly seeks to disrupt and complicate current election processes in Indiana.

Section 1 of SB 10 hurts the ability of students to participate in our elections by preventing them from using state higher educational institution IDs as a form of voter identification.

There is no evidence that ID cards issued by state educational institutions are less reliable than other forms of government-issued photo ID.

This bill would block many students from voting, even though these individuals would have already registered to vote and attested to residency and citizenship. In all regions of Indiana, students attending public colleges and universities would be impacted. For many young people, their only government-issued photo ID is their student ID card issued by their college or university. If banned by SB 10, these student voters will have to obtain other forms of identification, at their own cost, in addition to having to travel and face unnecessary inconvenience. The provision will cause widespread harm and may be challenged under federal law on several grounds.

Section 2 of SB 10 adds voter roll maintenance procedures that will burden new citizens with unnecessary citizenship check provisions and voters with a criminal record by adding an unnecessary criminal check provision.

In requiring election officials to perform voter maintenance procedures at least twice a year, Section 2 requires the removal of individuals who can no longer vote due to a criminal conviction or who have not provided proof of citizenship after notice by a county voter registration office.

There is absolutely no evidence of widespread voter registration or voting by noncitizens, and Indiana and federal law already adequately ensure that only US citizens may vote in Indiana elections. Only US citizens may vote in Indiana elections. IC 3-7-13-1(2). Registration applications in Indiana inform registrants that they must be a US citizen to vote and require the applicant affirm that they are a US citizen. *See* IC 3-7-31-5; IC 3-7-22-5, 52 U.S.C. § 20508(b)(2). Noncitizens are deterred from unlawfully voting by incarceration, fines, and most importantly being rendered inadmissible to the United States and deported for doing so. *See* IC 3-14-2-9, IC 3-14-2-10, 18 U.S.C. § 611, 8 U.S.C. §§ 1182(a)(6)(C)(ii), (10)(D).

The citizenship check provision of SB 10 likely violates federal law. The provision suffers from the same flaws as 2024's Indiana House Enrolled Act 1264, unfairly burdening naturalized citizens, and is an extension of HEA 1264 provisions that are set to go into effect in July of 2025. Similar provisions, enacted in the State of Arizona to remove voters based on the lack of documentary proof of citizenship as provided through motor vehicle records, created a logistical nightmare for election offices. In September 2024, Arizona election officials announced 218,000 voters had not provided documentary proof of citizenship, partly because the state did not require documentary proof of citizenship until 1996 and partly because of data errors. Right before the November 2024 election, the Arizona Supreme Court ordered the voters to still be able to vote in the election.

Similarly, removing voters based on criminal records is redundant to existing Indiana law and could be inaccurate, depending on the data and processes used by county voter registration offices and correctional offices. Increasing removals from the rolls without ensuring access to all eligible voters is unfair to our communities and concerning to civic organizations. And once again, Indiana law already addresses any problem that may exist by requiring an individual's removal from the voter rolls due to a criminal conviction. IC 3-7-46-1.

Sections 3 and 4 of SB 10 change voter roll maintenance processes for voters who have not voted in the two most recent general elections.

This provision would lead to administrative waste by unnecessarily identifying voters to remove from the rolls simply because they have been deemed inactive and potentially lead to these voters being deemed inactive and then eventually removed from the rolls.

For instance, this provision is unlikely to identify voters who have actually moved but, rather, will lead to people being purged from the voter rolls. In passing a nearly identical law, Ohio identified about 1.5 million registered voters—about 20% of its 8 million registered voters—as likely ineligible to remain on the federal voter roll because they changed residences. Ohio then sent those 1.5 million registered voters “last chance” confirmation notices; only a small percentage of voters responded to these notices. As Supreme Court Justice Breyer had observed,

it is unlikely that all 1,000,000 people (13% of Ohio’s voting population) moved. *See Husted v. A. Philip Randolph Inst.*, 584 U.S. 756, 794 (2018) (Breyer, J., dissenting).

Finally, Sections 5 and 6 of SB 10 change voter registration information sharing with other states.

SB 10 requires Indiana’s NVRA official to send an annual written or electronic communication to each state that is not a member of Indiana Data Enhancement Association (IDEA)—which is currently *every single state except for Indiana*—to request that the state become a member of IDEA. There is no reason to believe that IDEA data-matching will be more reliable than the previous, inaccurate “Crosscheck” data-sharing program administered by the Kansas Secretary of State. These provisions will increase the likelihood of unverified and inaccurate data being used to perform voter list maintenance in Indiana, leading to people being taken off the rolls when there are false positive matches.

We appreciate your attention to this important matter and urge you to oppose SB 10. We welcome the opportunity to meet with you and discuss our concerns further.

Sincerely,

All IN for Democracy Coalition

ACLU of Indiana
Chicago Lawyers’ Committee for Civil Rights – Midwest Voting Rights Program
Citizens Action Coalition
Common Cause Indiana
Count Us Indiana
Earth Charter Indiana
Hoosier Asian American Power
Indiana Alliance for Retired Americans
Indiana Conservation Voters
Indiana Friends Committee on Legislation
League of Women Voters of Indiana
MADVoters
Monroe County National Organization of Women
Planned Parenthood Alliance Advocates
Stand Up Indiana
Women4Change